SHOER RESERVED FOR FILING

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1/2/19/2

IN RE: PETITION FOR RESIDENTIAL

ZONING VARIANCE

7S/S Yarnall Road, 487 ft. W of

c/l Annapolis Road

13th Election District 1st Councilmanic District Olin F. McManis, et ux

Petitioners

* BEFORE THE

* ZONING COMMISSIONER

* OF BALTIMORE COUNTY

* Case No. 97-348-A

*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as an administrative variance filed by Olin F. McManis and Dorothy F. McManis, his wife, for that property known as 2007 Yannall Road in the Friendship Gardens subdivision of Baltimore County. The Petitioners/property owners herein seek a variance from Sections 1802.3.B. and VI "D" 4 (1953) of the Baltimore County Zoning Regulations (BCZR) to allow a rear yard setback of 39 ft. in lieu of the required 50 ft., for an enclosed porch. The property and relief sought are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition.

The Petitioners having filed a Petition for Residential Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should, therefore, be granted. In the opinion of the Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of

Morrison).

Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

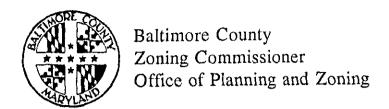
THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this Aday of March, 1997 that the Petition for a Zoning Variance from Sections 1B02.3.B. and VI "D" 4 (1953) of the Baltimore County Zoning Regulations (BCZR) to allow a rear yard setback of 39 ft. in lieu of the required 50 ft. in a D.R.10.5 zone, for an enclosed porch, be and is hereby GRANTED, subject, however, to the following restriction:

1. The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

LES:mmn

LAWRENCE E. SCHMIDT Zoning Commissioner for Baltimore County

Brace Contract



Suite 112, Courthouse 400 Washington Avenue Towson, Maryland 21204 (410) 887-4386

March 21, 1997

Mr. and Mrs. Olin F. McManis 2757 Yarnall Road Baltimore, Maryland 21227

> RE: Petition for Administrative Variance Case No. 97-348-A

Property: 2757 Yarnall Road

Dear Mr. and Mrs. McManis:

Enclosed please find the decision rendered in the above captioned case. The Petition for Administrative Variance has been granted, with restriction, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3353.

Lawrence E. Schmidt Zoning Commissioner

LES:mmn encl.

c: Mr. Tom Donnelly, American Energy Savers



Petition for Administrative Variance

97-348-A

to the Zoning Commissioner of Baltimore County

for the property located at 275? YARNA// Rd.

2757 YARNA// Rd.

which is presently zoned D.R. 10.5

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) | BOZ, 3, B. AND TIT "D"A (1953) Rep to Allow A Real years Set back of 391 | 11/60 of the Real Real Real So.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

5 re Reverse

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County

			I/We do solemnly declare and affirm, under the penalties of perjury, that it we are the legal owner(s) of the property which is the subject of this Petition.
Contract Purchaser/Lessee			Legal Owner(s)
			Olin F MC MANIS
(Type or Print Name)			(Type or Print Name)
Signature			Signature
			DOROTHY F. Mª MANIS
Address			(Type grant Name)
			X Lowery 7. Mc/Marys
City	State	Zipcode	Signature
Attorney for Petitioner			2757 JARNA// Rd 636-0014
(Type or Print Name)			Address Phone No
			BALTIMORE MD 21227
Signature		· · · · · · · · · · · · · · · · · · ·	Name, Address and phone number of representative to be contacted
			Tim MUNSON
Arraress	Phone i	No	5/19 HARGED Pd 426-9763
City	State	Zipcode	BAHIMORE, MD 212/9

Zaning Commissioner of Bailimare Count,



REVIEWED BY: CAM DATE: 1974097

ESTIMATED POSTING DATE: 3-2.97



Printed with Soybean Ink

ITEM #: 348

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19 $\frac{ff}{f}$, before me, a Notary Public of the State

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	BA	YARNAIL	rsce	resently reside at	e Affiant(s) does/do p
ot instance competent to	A fant bna (a) fasit. A regard thereto.	A ant to agbalw itw atutut ant m	personal kno is scheduled i	ody mithiw at navig	e information herein g ereto in the event tha
Baltimore County, as follows:	Commissioner of	ry to the Zonin	alties of perju	we nuget the ben	dersigned hereby affir

My Commission Expires:

NOTARY PUBLIC

that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief. the Affiants(s) herein, personally known or satisfactorily identified to me as such Affianti(s), and made oath in due form of law

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and

day of FEBRUARY

AS WITNESS my hand and Notarial Seal.

I HEREBY CERTIFY, this

of Maryland, in and for the County aforesaid, personally appeared

STATE OF MARYLAUD, COUNTY OF BALITIMORE, to wit:

may be required to provide additional information.

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto. That the Affiant(s) does/do presently reside at That based upon personal knowledge, the following are the facts upon which lave base the request for an Administrative Variance at the above address: (indicate hardship or practical difficulty) That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information. STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit: before me, a Notary Public of the State day of I HEREBY CERTIFY, this of Maryland, in and for the County atoresaid, personally appeared the Affiants(s) herein, personally known or satisfactorily identified to me as such Affiantt(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief. AS WITNESS my hand and Notarial Seal. NOTARY PUBLIC My Commission Expires:



Petition for Administrative Variance

97-348-A to the Zoning Commissioner of Baltimore County

for the property located at 1757 YARNAII Rd.

which is presently zoned

D.R. 10.5

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1802.3.8 And TT "D" 4 (1953 Rego) to Allow a Rear yard Setback of 39' in lieu of the Reguired 50'

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

SEE REJERICE

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

		legal owner(s) of the property which is the subject of this Petition
Contract Purchaser/Lessee:		Legal Owner(s)
Type or Print Name)		Clin F Mc MANIS
gnature		* Olin to Mr Maris
_		DOROTHY F. McManis
ddress		(Type of Print Name)
ity State	Zipcode	Signature
ttorney for Petitioner		2757 YARNA//Rd 636-
ype or Print Name)		Address Phone No
		BAHianKE MD 2/23
gnature		Name, Address and phone number of representative to be contacted
		Am Munson
Address Pho	one No.	5/19 HARFORD Rd 426-9
City - State	Zipcode	Address Phone No

that the subject matter of this petition be set for a public hearing, advertised, as required by the Zoning Regulations of Baltimore County, in two newspapers of general

63

Zoning Commissioner of Baltimore County

, circulation throughout saltimore County, and that the property be reposted

Zaning Description for 2757 YARNA/ Rd

Beginning at a Point on the South Side of YARNALL Rd which is 60 feet wide at a Distance of 487 feet west of the Center line of the pracest improved intersecting street Annapolis Rd. which is 50 feet wide. Being Lot #29, Block E, section 2 in the subdivision of Friendship Gardens as Recorded in Baltimore County Plat Book #22, Folio#21, Gentaining 2933.7 square feet. Also know As 2757 YARNALL Rd and located in the 13th Election District, 1st cooncilmanic District.

348

Land of the state of the

BALTIMORE COUNTY, MARYLAND

SCELLANEOUS CASH RECEIPT

AMOUNT

	RE: Case No.: <u>97-348-A</u>
	Petitioner/Developer:
	AMERICAN ENERGY SERVICE
	Date of Hearing/Closing: 3-17-97
Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Avenue Towson, MD 21204	•
Attention: Ms. Gwendolyn Stephens	
Ladies and Gentlemen:	
	nutry that the necessary sign(s) required by law attend at 2757 GACNALL ROAD
The sign(s) were posted on	One 1, 1997 Month, Day, Year)
ZONING N. ADMINISTRATIVE VARIANCE DATE IN TRANSPORT FUBLIC HEARING? PHAN 4 (TON) H- WILLIAM BANGOR DON'T COM AND THE STATE OF THE	Sincerely, (Signature of Sign Poster and Date) (Signature of Sign Poster and Date) (Printed Name) 325 Nicholson Konsp (Address) (City, State, Zip Code) (410) 687-8405 (Telephone Number)

Item No.: 348

Petitioner: MC MANIS, Olive Dorothy

Location: 2757 YARNA// Rd.

PLEASE FORWARD ADVERTISING BILL TO:

NAME: AMERICA'S ENERGY SAVER

ADDRESS: 5//9 HAR-FORD Rd.

BALLIMORE MD 21204

PHONE NUMBER: 4/10/426-9763

AJ:ggs

(Revised 09/24/96)

-16-

Printed with Sovbean Ink

Development Management

Towson, Maryland _1_04

348

Request for Zoning: Administrative Variance

Date to be Posted: Anytime before but no later than 3-2-97.

Format for Sign Printing, Black Letters on a White Background:

ZONING NOTICE	
A TARAGAMAN ACTIVITY	
ADMINISTRATIVE	
VARIANCE	
Case No.: 97-348-A	
To Allow A REAR VIRD Setback of 39'	
in lieu of the Beguired 50'	

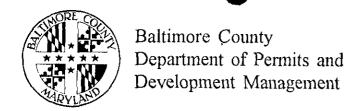
PUBLIC HEARING?

PURSUANT TO SECTION 26-127(b) (1), <u>BALTIMORE COUNTY CODE</u>, AN ELIGIBLE INDIVIDUAL OR GROUP MAY REQUEST A PUBLIC HEARING CONCERNING THE PROPOSED VARIANCE, PROVIDED THE REQUEST IS RECEIVED IN THE ZONING REVIEW BUREAU BEFORE 5:00 P.M. ON

ADDITIONAL INFORMATION IS AVAILABLE AT THE DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT, COUNTY OFFICE BUILDING, 111 WEST CHESAPEAKE AVE., TOWSON, MD 21204, (410) 887-3391

DO NOT REMOVE THIS SIGN AND POST UNTIL AFTER ABOVE DATE UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE



Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

February 28, 1997

ABOUT YOUR ADMINISTRATIVE VARIANCE

CASE NUMBER: 97-348-A
2747 Yarnall Road

S/S Yarnall Road, 487' W of c/l Annapolis Road
13th Election District - 1st Councilmanic
Legal Owner(s): Olin F. McManis and Dorothy F. McManis
Post by Date: 3/2/97
Closing Date: 3/17/97

Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice serves as a refresher regarding the administrative process.

- 1) The Zoning Notice sign must be visible on the property under petition on or before the "Post by Date" noted above. It should remain there until after the closing date.
- 2) The "Closing Date" noted above, is the deadline for a neighbor to file a formal request for a public hearing.
- 3) After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. He/She may (a) grant the requested relief, (b) deny the requested relief, or (c) Order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days) as to whether or not your petition has been granted, denied, or will go to public hearing.
- 4) In cases that must go to a public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), notification of same will be forwarded to you. The sign on the property must be changed giving notice of the hearing's date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign, must be forwarded to this office.

PLEASE UNDERSTAND CLOSING PROCESS IS NOT THAT ON THE DATE. THE COMPLETE. THE FILE TRUM GO THROUGH FINAL REVIEW. ORDERS ARE NOT DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

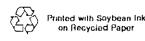
Arnold Jablon

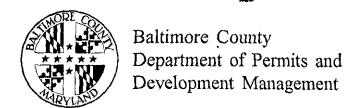
Director

cc: Olin and Dorothy McManis

Toller .

Tim Munson





Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

March 12, 1997

Mr. and Mrs. Olin McManis 2757 Yarnall Road Baltimore, MD 21227

RE: Item No.: 348

Case No.: 97-348-A

Petitioner: Olin McManis, et ux

Dear Mr. and Mrs. McManis:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on February 19, 1997.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (887-3391).

Sincerely,

Zoning Supervisor

WCR/re
Attachment(s)



David L. Winstead Secretary Parker F. Williams Administrator

Ms. Roslyn Eubanks
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County 3 4

Item No. 348 CAM

Dear Ms. Eubanks:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Larry Gredlein at 410-545-5606 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

P. J. Hrell for Ronald Burns, Chief

Engineering Access Permits

Division

LG

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

DATE: February 28, 1997

TO:

Arnold Jablon, Director

Permits and Development

Management

FROM:

Pat Keller, Director

Office of Planning

SUBJECT:

Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos. 346 348, 349, 350 and 351

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3495.

E. Cany L. Kerns

PK/JL

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

Date: March 10, 1997

Department of Permits & Development

Management

Robert W. Bowling, Chief Development Plans Review Division

SUBJECT: Zoning Advisory Committee Meeting

for March 10, 1997

Item Nos. (348,) 349, 350, & 351

The Development Plans Review Division has reviewed the subject zoning item, and we have no comments.

RWB:HJO:jrb

cc: File

Baltimore County Government Fire Department



Suppose of the same of the sam

(410) 887-4500

700 East Joppa Road Suite 901 Towson, MD 21286-5500

DATE: March 4, 1997

Arnold Jablon, Director Zoning Administration and Development Management Baltimore County Office Building Towson, MD 21204 MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF MARCH 3, 1997

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time, IN REFERENCE TO IHE FOLLOWING ITEM NUMBERS:

344, 345, 346, 348, 349, 350, 351, and 352

REVIEWER: LT. ROBERT P. SAUERWALD

Fire Marshal Office, PHONE 887-4981, MS-1102F

cc: File

• PETITION PROBLEMS

#344 --- JCM

1. Sign form is incomplete.

#345 --- JCM

1. Sign form is incomplete.

#347 --- MJK

1. Sign form is incomplete.

#348 --- CAM

- 1. Acreage on folder says ".67" .67 what???
- 2. Notary section is incomplete.

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

TO:	PDM	DATE:	

FROM: R. Bruce Seeley

Permits and Development Review

DEPRM

SUBJECT:

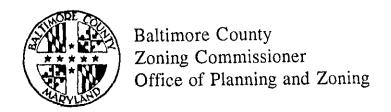
The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s:

344 345 346

RBS:sp

BRUCE2/DEPRM/TXTSBP



Suite 112, Courthouse 400 Washington Avenue Towson, Maryland 21204 (410) 887-4386

March 21, 1997

Mr. and Mrs. Olin F. McManis 2757 Yarnall Road Baltimore, Maryland 21227

RE: Petition for Administrative Variance

Case No. 97-348-A

Property: 2757 Yarnall Road

Dear Mr. and Mrs. McManis:

Enclosed please find the decision rendered in the above captioned case. The Petition for Administrative Variance has been granted, with restriction, in accordance with the attached Order.

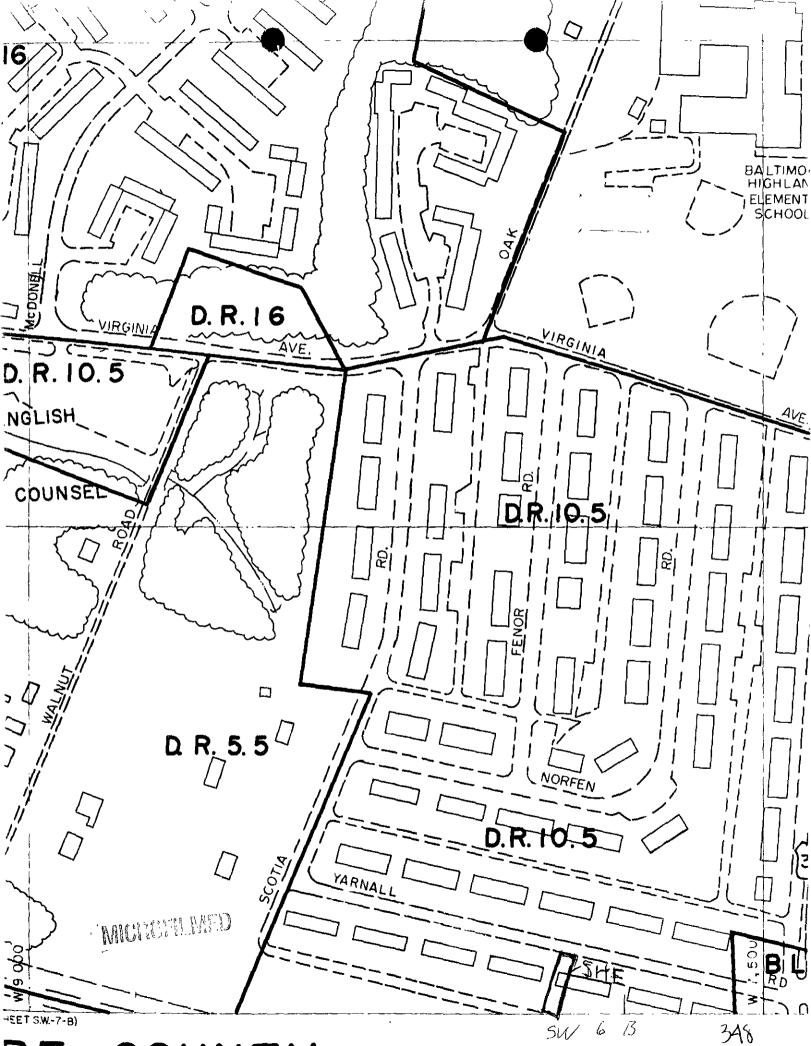
In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3353.

Lawrence E. Schmidt Zoning Commissioner

LES:mmn encl.

c: Mr. Tom Donnelly, American Energy Savers

accompany Petition for Zoning Narianc	e Special Hearing
ARDENS	CHECKLIST for additional required information
OWNER: Mc MANCE, OILW + DOROTHO	The control of the co
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N 770/6 W 31.67 31.67	Saltimore Rightands ES
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16 " " 16 26.67 26.67 (0.0)	LOCATION INFORMATION
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HANDS H SEEDEN	1'-200' scale map#: \$W6B
	Zoning: 2067 3934
25 26 27 28	SEWER: M
70/6'W	
	Chesapcake Bay Critical Area: [] [4]
LINE TURNEL ABON	NONS KNOWN
North; /	Office USE
	reviewed by: TIEM #: CASE#:
prepared by: 人込ん、「水でル」 Scale of Drawing: 「一番」	348











OFFICE OF PLANNING AND ZONING PHOTOGRAPHIC MAP

MONUMENTAL BALTIMORE HIGHLANDS